

**Amendments to the Claims:**

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1-12. (Canceled)

13. (New) A facsimile apparatus comprising:

a first communication control section that controls facsimile communications using VoIP in which a facsimile signal is assumed as a voice signal, comprising:

a first communication image processing unit;

a first T.30 protocol control unit that is connected to the first communication image processing unit, and controls a T.30 facsimile protocol;

a facsimile modem that is connected to the first T.30 protocol control unit, and modulates and demodulates a facsimile signal;

a voice encoding/decoding unit that is connected to the facsimile modem, and encodes and decodes a voice signal; and

a real-time transfer protocol control unit that is connected to the voice encoding/decoding unit, and controls a real-time transfer protocol,

a second communication control section that controls facsimile communications using a T.38 protocol, comprising:

a second communication image processing unit;

a second T.30 protocol control unit that is connected to the second communication image processing unit, and controls a T.30 facsimile protocol; and

a T.38 protocol control unit that is connected to the second T.30 protocol control unit, and controls a T.38 protocol,

a session connection control section that controls a session connection with a destination terminal via an IP network, and

a TCP/UDP/IP protocol control unit that is connected to the real-time transfer protocol control unit and the T.38 protocol control unit, and controls packet communications with the destination terminal via a network interface using the first communication control section or the second communication control section according to a session connection control by the session connection control section, wherein

the facsimile apparatus is configured so that transmissions formatted by the first communication control section in accordance with a T.30 facsimile protocol are not further formatted by the facsimile apparatus in accordance with a T.38 facsimile protocol.

14. (New) The facsimile apparatus according to Claim 13, further comprising:

a selective call control unit that first selects the first communication unit and calls a destination terminal to judge whether the destination terminal has T.38 mode communication capability, and when the destination terminal has the T.38 mode communication capability, temporarily suspends the session connection control by the session connection control section and selects the second communication unit to call the destination terminal.

15. (New) The facsimile apparatus according to Claim 14, wherein the judgment as to whether the destination terminal has the T.38 mode communication capability is carried out in a stage of establishment of a session in response to a first call by the first communication unit.

16. (New) The facsimile apparatus according to Claim 14, wherein the judgment as to whether the destination terminal has the T.38 mode communication capability is carried out in a stage shifted to a facsimile protocol after the establishment of a session in response to a first call by the first communication unit.

17. (New) A facsimile apparatus comprising:

a communication image processing unit;

a T.30 protocol control unit that is connected to the communication image processing unit, and controls a T.30 facsimile protocol;

a facsimile modem that modulates and demodulates a facsimile signal;

a voice encoding/decoding unit that is connected to the facsimile modem, and encodes and decodes a voice signal;

a real-time transfer protocol control unit that is connected to the voice encoding/decoding unit, and controls a real-time transfer protocol;

a T.38 protocol control unit that controls a T.38 protocol;

a switching unit that selectively switches a connection of the T.30 protocol control unit to the facsimile modem or to the T.38 protocol control unit;

a session connection control section that controls a session connection to a destination terminal via an IP network; and

a TCP/UDP/IP protocol control unit that is connected to the real-time transfer protocol control unit and the T.38 protocol control unit, and controls packet communications with the destination terminal via a network interface using the real-time transfer protocol control unit or the T.38 protocol control unit according to a session connection control by the session connection control section, wherein

the facsimile apparatus is configured so that transmissions formatted by the T.30 protocol control unit in accordance with a T.30 facsimile protocol when the switching unit is switched to the facsimile modem are not further formatted by the facsimile apparatus in accordance with a T.38 facsimile protocol.

18. (New) A facsimile apparatus comprising:

a first communication control section that controls facsimile communications using VoIP in which a facsimile signal is assumed as a voice signal, comprising:

a first communication image processing unit;

a first T.30 protocol control unit that is connected to the first communication image processing unit, and controls a T.30 facsimile protocol;

a first facsimile modem that is connected to the first T.30 protocol control unit, and modulates and demodulates a facsimile signal;

a voice encoding/decoding unit that is connected to the first facsimile modem, and encodes and decodes a voice signal;

a real-time transfer protocol control unit that is connected to the voice encoding/decoding unit, and controls a real-time transfer protocol;

a session connection control section that controls a session connection to a destination terminal via an IP network; and

a TCP/UDP/IP protocol control unit that is connected to the real-time transfer protocol control unit, and controls packet communications with the destination terminal via a network interface using the real-time transfer protocol control unit according to a session connection control by the session connection control section, and

a second communication control section, comprising:

a second communication image processing unit;

a second T.30 protocol control unit that is connected to the second communication image processing unit, and controls a T.30 facsimile protocol;

a second facsimile modem that is connected to the second T.30 protocol control unit, and modulates and demodulates a facsimile signal; and

a network control unit that is connected to the second facsimile modem, and controls a connection to a destination terminal via a public line, wherein

the facsimile apparatus is configured so that transmissions formatted by the first communication control section in accordance with a T.30 facsimile protocol are not further formatted by the facsimile apparatus in accordance with a T.38 facsimile protocol.

19. (New) The facsimile apparatus according to Claim 18, further comprising:
- a destination terminal number input unit that inputs a destination terminal number;
  - an IP network terminal identification number storage unit that stores identification numbers used to identify IP network terminals; and
  - a selective call control unit that, when a destination terminal number of a destination terminal is input, compares the input destination terminal number with the identification numbers stored in the IP network terminal identification number storage unit to judge whether the destination terminal is an IP network terminal, and when the destination terminal is an IP network terminal, selects the first communication unit to call the destination terminal, and when the destination terminal is not an IP network terminal, selects the second communication unit to call the destination terminal.
20. (New) A facsimile apparatus comprising:
- a communication image processing unit;
  - a T.30 protocol control unit that is connected to the communication image processing unit, and controls a T.30 facsimile protocol;
  - a facsimile modem that is connected to the T.30 protocol control unit, and modulates and demodulates a facsimile signal;
  - a voice encoding/decoding unit that is connected to the facsimile modem, and encodes and decodes a voice signal;
  - a real-time transfer protocol control unit that is connected to the voice encoding/decoding unit, and controls a real-time transfer protocol;
  - a network control unit that controls a connection to a destination terminal via a public line;

a session connection control section that controls a session connection to a destination terminal via an IP network;

a TCP/UDP/IP protocol control unit that is connected to the real-time transfer protocol control unit, and controls packet communications with the destination terminal via a network interface using the real-time transfer protocol control unit according to a session connection control by the session connection control section; and

a switching unit that selectively switches a connection of the facsimile modem to the voice encoding/decoding unit or to the network control unit, wherein

the facsimile apparatus is configured so that transmissions formatted by the T.30 protocol control unit in accordance with a T.30 facsimile protocol are not further formatted by the facsimile apparatus in accordance with a T.38 facsimile protocol.